

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**Eagle Alloy, Inc.
5142 Evanston Ave.
Muskegon, Michigan 49442**

ATTENTION:

**Steven Spiwak
Environmental Health and Safety Specialist**

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring Eagle Alloy, Inc. to submit certain information about its Muskegon, Michigan facility. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us according to the schedule in Appendix B.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

Eagle Alloy, Inc. owns and operates an emission source at the Muskegon, Michigan facility. We are requesting this information to determine whether your emission source is complying with the CAA.

Eagle Alloy, Inc. must send all required information to:

Attn: Compliance Tracker, AE-18J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5

77 W. Jackson Boulevard
Chicago, Illinois 60604

Eagle Alloy, Inc. must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

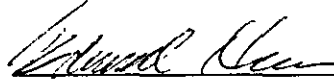
This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject Eagle Alloy, Inc. to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Alexandra Letuchy at (312) 886-6035.

1/30/17
Date



Edward Nam
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and, at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

Definitions

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*

1. The term “representative (normal) conditions” shall mean conditions that represent the range of combined process and control measure conditions under which the facility expects to operate (regardless of the frequency of the conditions); and are likely to most challenge the emissions control measures of the facility with regard to meeting the applicable emission standards, but without creating an unsafe condition. If operating at maximum capacity would result in the highest levels of emissions, operating at this level would not create an unsafe condition, and the facility expects to operate at that level at least some of the time, the facility should conduct the test at maximum capacity or the allowable/permitted capacity.

Appendix B

Information You Are Required to Submit to EPA

Eagle Alloy, Inc. must submit the following information regarding its Muskegon, Michigan facility, pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a). Eagle Alloy, Inc. must submit an emission test plan, conduct emission testing, and submit all other information requested in accordance with the schedule specified below:

Request 1 –11	Within 30 days
Testing Protocol(s)	Within 30 days of receipt of this request
Notification of Intent to Test	Not less than 21 days before testing
Complete Testing	Within 65 days of receipt of this request
Testing Report	Within 30 days of completion of testing

1. Provide records of Method 9 opacity readings performed from January 2012 to the present.
2. Provide a copy of the observation plan for Method 9 opacity readings which indicates, among other things, the locations at which and from which Method 9 observations should be taken.
3. Provide a copy of each current air permit and all previous, final air permits issued to the facility by the Michigan Department of Environmental Quality (MDEQ), including, but not limited to, construction permits and permits to install (PTIs) issued since January 1990.
4. Provide a table identifying the furnaces at the facility and the date each furnace was installed.
5. Provide a table of all emissions tests conducted at the facility for any reason, from January 2012 to the present, and provide copies of all emissions test reports. Emission testing includes, but is not limited to, compliance testing, engineering testing, and testing for general information. Use the following guidelines for compiling the table and preparing copies of the stack test reports:
 - a. **Table:** Identify the emissions unit, the control device, the date of the test, the federal or state regulation requiring the test (if applicable), pollutants tested, throughput during test, and the test method(s) used. For each test during which the source was not operating at maximum design capacity, provide an explanation for why production was limited. Indicate whether the report was shared with MDEQ.
 - b. **Copies:** Provide full stack test reports, including the summary pages, the section describing the process parameters and production or processing rates at the time of the test, all test runs, and all calculations.

6. Provide a copy of the facility's current Malfunction Abatement Plan.
7. Provide a copy of the facility's current and every past version of the metallic scrap management program plan. Indicate the date each plan was established.
8. Provide a copy of the facility's current and every past version of the mercury switch program plan. Indicate the date each plan was established.
9. Provide a copy of the facility's current and every past version of the Operation and Maintenance Plans maintained pursuant to 40 C.F.R. § 63.10896.
10. For emission unit EU43 (Phenolic Shell Sand Thermal Reclamation System), provide the following information from January 2012 to the present:
 - a. The hourly sand throughput rate (tons/hour);
 - b. The recorded combustion chamber temperature (°F);
 - c. The pressure drop across the baghouse;
 - d. The pressure drop operating range used to demonstrate satisfactory operation of the baghouse; and
 - e. Method used to establish the pressure drop operating range.
11. For emission unit EU44 (Sand Coating Plant), provide the following information from January 2012 to the present:
 - a. The hourly sand throughput rate (tons/hour);
 - b. The recorded temperature at the thermal oxidizer (°F);
 - c. How the minimum temperature for the thermal oxidizer was established;
 - d. The date and duration of all periods when the afterburner was either not in operation or below the minimum temperature and the emission unit was in operation;
 - e. The pressure drop across the baghouse;
 - f. The pressure drop operating range used to demonstrate satisfactory operation of the baghouse; and
 - g. Method used to establish the pressure drop operating range.
12. Submit an opacity observation protocol, conduct opacity observations, and submit all other information requested within the schedules provided below for the facility. Specifically, Eagle Alloy, Inc. must:
 - a. Within 65 days of the receipt of this request, perform opacity readings of emissions in accordance with Method 9 from the roof openings located about EUPOURCASTCOOL, as defined in Permit No. 95-01F;
 - b. During the opacity readings conducted pursuant to Item 1.a, operate the EUPOURCASTCOOL and the 11 Furnaces located in the Eagle Alloy main building at representative (normal) conditions, which should include operating

all pouring lines and all furnaces if the facility expects to operate at that level at least some of the time;

- c. During the testing conducted pursuant to Item 1.a, complete three 1-hour observations.
- d. Within 30 days after receipt of this request, submit to EPA and MDEQ the proposed opacity reading protocol that completely describes the methods and procedures for opacity reading(s), including, the locations and times of day that readings will be taken. Eagle Alloy, Inc. shall conduct the testing under a protocol approved in advance by EPA. The protocol shall address the requirements of Item 3.a. – c. of this information request;
- e. At least 21 days prior to the planned opacity observation(s), submit notification to EPA and MDEQ of the intent to conduct the opacity observation(s); and
- f. Within 14 days after completion of the opacity observation, submit the following:
 - A. Method 9 sheets;
 - B. Method 9 reader certification;
 - C. Discussion of any deviations from the reference test methods; and
 - D. Production data (furnace and EUPOURCASTCOOL).
 - E. Data demonstrate that the facility was being operated at maximum production rates.

Appendix C

Confidential Business and Personal Privacy Information

Assertion Requirements

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the information request as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information Is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show: that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential by page, paragraph and sentence. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as

CERTIFICATE OF MAILING

I, Kathy Jones, certify that I sent a Request to Provide Information Pursuant to the Clean Air Act by Certified Mail, Return Receipt Requested, to:

Steven Spiwak
Eagle Alloy, Inc.
5142 Evanston Ave.
Muskegon, Michigan 49442

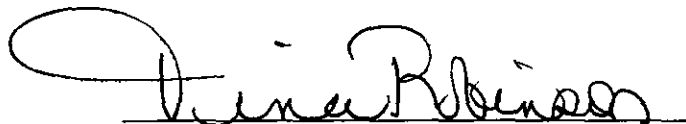
I also certify that I sent a copy of the Request to Provide Information Pursuant to the Clean Air Act by E-mail to:

Tom Hess
Enforcement Unit Manager
Air Quality Division
HESST@michigan.gov

And

Heidi Hollenbach
Air Quality Division District Supervisor
Grand Rapids District
hollenbachh@michigan.gov

On the 1st day of February 2017.



Kathy Jones, Program Technician
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 704 2870 0001 9578 9992